

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**
FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:

0 0 - 0 1 9

2. STATE:

Minnesota

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL
SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

July 1, 2000

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN

☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN

☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

Section 1915(g)

7. FEDERAL BUDGET IMPACT:

a. FFY '00 \$ 0

b. FFY '01 \$ 15,444

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Att. 3.1-A, pp. 25-25a & Supp. 1, pp. 1-12

Att. 3.1-B, pp. 24-24a & Supp. 1, pp. 1-12

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):

Att. 3.1-A, pp. 25-25a & Supp. 1, pp. 1-14

Att. 3.1-B, pp. 24-24a & Supp. 1, pp. 1-14

10. SUBJECT OF AMENDMENT:

Care Management Services: Mental Health

11. GOVERNOR'S REVIEW (Check One):

☒ GOVERNOR'S OFFICE REPORTED NO COMMENT

☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED

☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

☐ OTHER, AS SPECIFIED:

12. SIGNATURE OF STATE AGENCY OFFICIAL:



13. TYPED NAME:

Marv B. Kennedy

14. TITLE:

Medicaid Director

15. DATE SUBMITTED:

September 25, 2000

16. RETURN TO:

Stephanie Schwartz
Minnesota Department of Human Services
444 Lafayette Road North
St. Paul, Minnesota 55155-3853

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:

9/28/00

18. DATE APPROVED:

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

20. SIGNATURE OF REGIONAL OFFICIAL:

21. TYPED NAME:

Cheryl A. Harris

22. TITLE:

Associate Regional Administrator
Division of Medicaid and Insurance Oversight

23. REMARKS:

MINNESOTA
MEDICAL ASSISTANCE

Federal Budget Impact of Proposed State Plan Amendment TN 00-19
Attachment 3.1-A/B: Mental Health Services and Mental Health Case Management Services

TN 00-19 makes these changes:

1. Attachments 3.1-A/B, item 6.d.A. (Other practitioners' services)

- Allows licensed marriage and family therapists to provide services in settings other than community mental health centers. Pursuant to Minnesota Session Laws 2000, chapter 488, article 9, sections 4 and 16.

The Department anticipates the costs to be as follows:

	<u>FFY '00</u>	<u>FFY '01</u>
State costs	\$0	\$14,556
Federal costs	\$0	\$15,444

- Adds the requirement that licensed marriage and family therapists have at least two years of post-master's supervised experience. This complies with Minnesota Statutes, sections 245.462, subdivision 18(5) and 245.4871, subdivision 27(5). Because this is current policy, there is no fiscal impact.

2. Attachments 3.1-A/B, Supplement 1 (Mental health case management services)

- Page 7: The language in item 3, subitems (b)(1)-(3) is not new. It was moved from page 9.
- Pages 7-8: Clarifies that all case managers with at least 2,000 hours of supervised experience in the delivery of services must receive regular, ongoing supervision and clinical supervision. The statutory requirement for clinical supervision is new and was enacted to distinguish between general case management supervision and clinical supervision.
- Page 8: Requires that all providers without 2,000 hours of supervised experience in the delivery of services receive clinical supervision at least one hour per week until the requirement of 2,000 hours of experience is met. The statutory requirement allows flexibility in the provision of clinical supervision to allow case managers to receive an amount in keeping with their education and experience.

Note that the second and third bullets have been combined.

Federal Budget Impact

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- ✓ • Page 8: Requires that all unlicensed, unregistered, or uncertified case managers must receive 30 hours of continuing education and training. The old requirement applied only to case managers with bachelor's degrees.
- ✓ • Page 10, item D(3)(a) and (b): Clarifies that the life experience qualifications vary depending upon whether case management services are provided to adults or to children.
- ✓ • Page 11: Requires case manager associates to receive at least five hours of mentoring a week from a case management mentor, defined as a qualified, practicing case manager or case management supervisor. The old requirement was for at least one hour of clinical supervision per week from a mental health professional plus four hours of mentoring per week from a case management mentor.
- ✓ • Language, clarifying current policy, provides that mentoring may occur while providing case management services and can be provided to a case manager associate or to a group of case manager associates.

These changes are made pursuant to Minnesota Session Laws 2000, chapter 474, sections 3 and 4. The Department anticipates no fiscal impact.

3. Attachments 3.1-A/B, Supplement 1

- ✓ • Page 12: Clarifies that providers cannot receive payment for case management services if the services duplicate §1915(c) waived services provided to the same recipient. Because this is current policy there is no budget impact.

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6.d. Other practitioners' services.

- A. **Mental health** services coverage is limited to those provided by the following mental health professionals within the applicable scope of licensure: licensed psychologist, licensed psychological practitioner, community mental health center, licensed independent clinical social worker, masters prepared nurse with American Nurses Association certification as a clinical specialist in psychiatric or mental health, certified outpatient rehabilitation facility, and licensed marriage and family ~~counselors in community mental health centers~~ therapists with at least two years of post-master's supervised experience. ~~For the purposes of this item, licensed marriage and family counselors provide only covered Medicaid mental health services such as family and individual therapy in multi-disciplinary settings.~~ Covered Medicaid mental health services ~~does~~ do not include marriage counseling.

Mental health services are subject to the same limitations as psychiatric services described under Item 5.a., Physicians' services.

Community mental health center services are services provided by a facility that meets the requirements of Minnesota Statutes, §256B.0625, subdivision 5.

The community mental health center must be licensed under Minnesota Rules, parts 9520.0750 to 9520.0870 to provide mental health services under the clinical supervision of a mental health professional who is licensed for independent practice at the doctoral level, or by a board-certified psychiatrist, or a psychiatrist who is eligible for board certification.

Community mental health center services are furnished by a private nonprofit corporation or a governmental agency and must have a community board of directors. Providers must be capable of providing the services to recipients who are diagnosed with both mental illness or emotional disturbance and chemical dependency, and to recipients dually diagnosed with a mental illness or emotional disturbance and mental retardation or a related condition.

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6.d. Other practitioners' services. (continued.)

The following are included in the **community mental health center services** payment:

- (1) Diagnostic assessment;
- (2) Explanation of findings;
- (3) Family, group and individual psychotherapy, including crisis intervention psychotherapy services, multiple family group psychotherapy, psychological testing, and medication management;
- (4) Day treatment services; and
- (5) Professional home-based mental health services.

The provider must provide 24-hour emergency care ~~community mental health center services~~ or demonstrate the capacity to assist recipients in need of such services on a 24-hour basis.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE/TERRITORY: MINNESOTA

CASE MANAGEMENT SERVICES

A. Target Group (section 1915(g) of the Act):

Case management services are available for individuals who have been determined to have serious and persistent mental illness or severe emotional disturbance.

Serious and persistent mental illness is defined as the condition of a person who has a mental illness and meets at least one of the criteria in items 1 to 5:

1. The person has undergone two or more episodes of inpatient care for a mental illness within the preceding 24 months; or
2. The person has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding 12 months; or
3. The person has a diagnosis of schizophrenia, bipolar disorder, major depression, or borderline personality disorder, indicates a significant impairment in functioning, and has a written opinion from a mental health professional (defined in item 6.d.A. of this attachment), in the last three years, stating that the person is reasonably likely to have future episodes requiring inpatient or residential treatment of a frequency described in items 1 and 2, unless ongoing case management or community support services are provided; or
4. In the last three years, the person has been committed by a court as a mentally ill person under Minnesota Statutes, chapter 253B or the person's commitment has been stayed or continued for reasons related to the person's mental illness; or
5. The person: (a) was eligible under items 1 to 4, but the specified time period has expired or the person was eligible as a child with severe emotional disturbance under Minnesota Statutes, §245.4871, subdivision 6; and

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A. Target group (section 1915(g) of the Act): (continued)

- (b) has a written opinion from a mental health professional, in the last three years, stating that the person is reasonably likely to have future episodes requiring inpatient or residential treatment, of a frequency described in item 1 or 2, unless ongoing case management or community support services are provided.

Severe emotional disturbance is defined as a child under age 18 who has an emotional disturbance and who meets one of the following criteria:

1. The child has been admitted within the last three years or is at risk of being admitted to inpatient treatment or residential treatment for an emotional disturbance; or
2. The child is a Minnesota resident and is receiving inpatient treatment or residential treatment for an emotional disturbance through the interstate compact; or
3. The child has one of the following as determined by a mental health professional (defined in item 6.d.A. of this attachment):
 - (i) psychosis or a clinical depression; or
 - (ii) a risk of harming self or others as a result of an emotional disturbance; or
 - (iii) psychopathological symptoms as a result of being a victim of physical or sexual abuse or of psychic trauma within the past year; or
4. The child, as a result of an emotional disturbance, has significantly impaired home, school, or community functioning that has lasted at least one year or that, in the written opinion of a mental health professional, presents substantial risk of lasting at least one year.

B. Areas of the State in which services will be provided:

X Entire state.

— Only in the following geographic areas (authority §1915(g)(1) of the Act is invoked to provide services less than statewide): N/A

C. Comparability of Services:

- Services are provided in accordance with §1902(a)(10)(B) of the Act.
- X Services are not comparable in amount, duration, and scope. Authority of §1915(g)(1) of the Act is invoked to provide services without regard to the requirements of §1902(a)(10)(B) of the Act.

D. Definition of Services:

Case management services are activities ~~which~~ that are coordinated on an individual client basis and are designed to help persons with serious and persistent mental illness or severe emotional disturbance in gaining access to needed medical, social, educational, financial, or other services necessary to meet the client's needs.

Case Management services include:

1. Completion and regular review of a written functional assessment.
2. The development and regular review of a written individual community support plan for the client based on both a functional and a diagnostic assessment of the client and incorporating the client's individual treatment plans.
3. Assisting the client to access appropriate mental health or other service providers, consistent with §1902(a)(23) of the Act.
4. Coordination of the provision of services consistent with §1902(a)(23) of the Act.
5. Monitoring the client's progress and the effectiveness of the individual community support plan.
6. Monitoring the discharge planning process for a client being discharged from a residential treatment facility, regional treatment center, or inpatient hospital.

D. Definition of Services: (continued)

The monthly payment is limited to the following components of case management services:

1. At a minimum, in order to recover payment:
 - A. for an adult, the case management service provider must document at least a:
 - (1) face-to-face contact with the client, or the client's legal representative; or
 - (2) telephone contact with the client or the client's legal representative and document a face-to-face contact with the client or the client's legal representative within the preceding two months.
 - B. for a child, the case management service provider must document at least a face-to-face contact with the client ~~and~~ or the client's parents or legal representative.
2. Contacts between the case manager or case manager associate and their clinical supervisor concerning the client.
3. Development, review and revision of the client's individual community support plan and functional assessment.
4. Time spent by the case manager or case manager associate traveling to meet face-to-face with a client who resides outside of the county of financial responsibility, or to meet face-to-face with the client's family, legal representative, or primary caregiver.
5. Time spent by the case manager or case manager associate traveling within the county of financial responsibility to meet face-to-face with the client or the client's family, legal representative, or primary caregiver.

D. Definition of Services: (continued)

The above components of case management services must fall within the following parameters to be eligible for medical assistance payment:

1. For clients in hospitals, NFs, or ICFs/MR, payment for case management services is limited to the last 30 days before discharge in an effort to establish continuity of care and community-based services recommended by the discharge planning team. This 30-day coverage may not exceed more than two months in a calendar year.

Case management services will not duplicate those provided as part of the institution's discharge plan.

2. A client's continued eligibility for case management services must be determined every 36 months by the local agency. The determination of whether the client continues to have a diagnosis of serious and persistent mental illness or severe emotional disturbance must be based on updating the client's diagnostic assessment or on the results of conducting a complete diagnostic assessment because the client's mental health status or behavior has changed markedly.

The following services are not eligible for payment as case management services:

1. Diagnostic assessment.
2. Administration and management of a client's medications.
3. Legal services, including legal advocacy, for the client.
4. Information and referral services that are part of a county's community social service plan.
5. Outreach services including outreach services provided through the community support services program.
6. Services that are not documented as required under Minnesota Rules, part 9520.0920, subpart 1.

D. Definition of Services: (continued)

7. Services that are otherwise eligible for payment on a separate schedule under Minnesota Rules, parts 9505.0170 to 9505.0475 or other rules of the Department.
8. Therapy or treatment services.

E. Qualifications of Providers:

A case management service provider must be:

1. A local agency, defined as a county or multi-county agency that is authorized under state law as the agency responsible for determining eligibility for the Medical Assistance Program. As the local mental health authority, the local agency is responsible for assuring that persons have access to mental health and other services, consistent with §1902(a)(23) of the Act;
 2. An entity under contract with the local agency to provide case management services; or
 3. An entity meeting program standards set out in rules governing family community support services for children with severe emotional disturbance (when these standards meet the program standards in Minnesota Rules, parts 9520.0900 to 9520.0926 [governing case management for children with severe emotional disturbance] and 9505.0322, excluding subparts 6 [mental health case management services] and 10 [limitations on payment])).
1. **Case managers.** The following are considered case managers.
 - A. Mental health professionals as defined in item 6.d.A. of this attachment. Case management supervisors must also meet the criteria for mental health professionals.
 - B. Individuals who:
 - (1) are skilled in the process of identifying and assessing a wide range of client needs;

E. Qualifications of Providers: (continued)

- (2) are knowledgeable about local community resources and how to use those resources for the benefit of the client;
 - (3) (a) hold a bachelor's degree in one of the behavioral sciences or related fields including, but not limited to, social work, psychology, or nursing from an accredited college or university, or
 - (b) (1) have at least three or four years of experience as case manager associates;
 - (2) are registered nurses with a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or
 - (3) qualified before July 1, 1999, as case managers under provisions covering Department recognition of individuals without bachelor's degrees who had 40 hours of approved training in case management skills and at least 6,000 hours of supervised experience in the delivery of mental health services; and,
 - (4) if providing case management services to children, have at least 2,000 hours of supervised experience and training in the delivery of services to persons working with mental illness and/or severe emotional disturbance children.
- ~~If providing case management services to a client with serious and persistent mental illness, supervision for a Case manager during the first year managers with at least 2,000 hours of service is one hour per week supervised experience in the delivery of clinical supervision from a case management supervisor. Thereafter (and for all~~

E. Qualifications of Providers: (continued)

~~providers if providing case management services for to adults or children with severe emotional disturbance), the case manager must receive regular ongoing supervision and clinical supervision totaling 38 hours per year, of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remainder may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours. Clinical supervision must be documented in the recipient's record.~~

- ~~Individuals who meet the qualifications in item 1, subitem B but who do not have at least Case managers without 2,000 hours of supervised experience in the delivery of mental health services to adults with mental illness or to children with severe emotional disturbance must complete begin 40 hours of training approved by the Department of Human Services in case management skills and in the characteristics and needs of adults with serious and persistent mental illness or children with severe emotional disturbance. Case managers must also receive clinical supervision regarding individual service delivery from a mental health professional at least one hour per week until the requirement of 2,000 hours of experience is met.~~
- ~~Individuals who meet the qualifications in item 1, subitem B but who do not have at least 2,000 hours of supervised experience in the delivery of mental health services to children with severe emotional disturbance must begin 40 hours of training approved by the Department of Human Services in case management skills and in the characteristics and needs of children with severe emotional disturbance. The individual also must receive clinical supervision from a mental health professional at least one hour each week, including a face-to-face meeting at least once a week, until the requirement of 2,000 hours of supervised experience is met.~~
- A case manager with a bachelor's degree who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in mental illness, severe emotional disturbance and mental health services annually.

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E. Qualifications of Providers: (continued)

- ~~e. Case managers without a bachelor's degree who meet at least one of the following:~~
- ~~(1) have three or four years of case manager associate experience;~~
 - ~~(2) are a registered nurse and have a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or~~
 - ~~(3) (a) qualified before July 1, 1999 as a case manager under the provisions added to this item in 1998 (and deleted in this State plan amendment) covering Department recognition of individuals without bachelor's degrees who had 40 hours of approved training in case management skills and at least 6,000 hours of supervised experience in the delivery of mental health services; and~~
 - ~~(b) meet the continuing education and mentoring requirements, below.~~

2. **Case manager associates.** A case manager associate must:

- A. work under the direction of a case manager or case management supervisor;
- B. be at least 21 years of age;
- C. have a high school diploma or equivalent; and
- D. meet one of the following:
 - (1) have an associate of arts degree in one of the behavioral sciences or human services;
 - (2) be a registered nurse without a bachelor's degree;
 - (3) within the previous ten years:

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E. Qualifications of Providers: (continued)

- (a) if providing case management services to adults, have three years of life experience with serious and persistent mental illness or as a child had severe emotional disturbance; or
 - (b) if providing case management services to adults or children, have three years of life experience as a primary caregiver to an adult with serious and persistent mental illness or to a child with severe emotional disturbance;
 - (4) have 6,000 hours work experience as a nondegreed state hospital technician; or
 - (5) meet ~~one of~~ the criterion in state law for mental health practitioner: have at least 6,000 hours of supervised experience in the delivery of services to persons with mental illness.
- Individuals meeting one of the criteria in (1) to (4) above may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in (5) may qualify as a case manager after three years of supervised experience as a case manager associate.
 - Case manager associates must meet the following supervision, mentoring, and continuing education requirements:
 - (a) have 40 hours of preservice training as described on ~~pages~~ page 8 ~~and 9~~ of this item for case management for clients with serious and persistent mental illness or ~~as described on page 9~~ for children with severe emotional disturbance, ~~and ;~~
 - (b) ~~they must~~ receive at least 40 hours of continuing education in mental illness, or severe emotional disturbance, and mental health services annually; and

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E. Qualifications of Providers: (continued)

(c) ~~Case manager associates must receive at least one hour five hours of clinical supervision mentoring per week from a mental health professional plus four hours of mentoring per week from a case management mentor.~~ For purposes of this item, "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to clients in the office or in the field and may be provided to a case manager associate or to a group of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

3. **Others.**

An immigrant who is neither a case manager nor a case manager associate may provide case management services to adult immigrants with serious and persistent mental illness or to children with severe emotional disturbance who are members of the same ethnic group if the immigrant:

- A. is currently enrolled in and is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university;
- B. completes 40 hours of training; and
- C. for case management services to clients with serious and persistent mental illness, receives clinical supervision at least once a week until he or she becomes a case manager or case manager associate; or
- D. for case management services to children with severe emotional disturbance, receives clinical supervision at least once a week until he or she receives a bachelor's degree and 2,000 hours of supervised experience.